

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77200 of 2024**

Arising Out of PS. Case No.-19 Year-2024 Thana- RANIGANJ District- Araria

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1. Binod Ram S/o Suresh Ram Resident of village Hansa ward no.- 7 P.S.- Raniganj, District- Araria.
  2. Rahul Kumar Ram S/o Mantu Ram Resident of village Hansa ward no.- 7 P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
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| For the Petitioner/s     | : | Mr. Bindeshwar Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Rana Randhir Singh, A.P.P. |
| For the Informant        | : | Mr. Anand Prakash, Advocate    |
|                          |   | Mr. Prasant Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

8      10-04-2025                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. Petitioners seek regular bail in connection with Session Trial No. 539 of 2024 arising out of Raniganj P.S. Case No. 19 of 2024, registered for the offences under Section 364/34 of the Indian Penal Code subsequently converted into 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant Fulan Devi gave a written report stating therein that the petitioners, namely, Binod Ram and Rahul Kumar Ram took her son, namely, Sajjan Kumar Ram along with them. However, petitioners returned but her son did not return. When he was tried to be contacted on mobile, his mobile was found to be



switched off. The informant suspected that Binod Ram and Rahul Kumar Ram have kidnapped her son, killed him and have thrown his body away.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to previous enmity and even if the allegations are to be taken, there is no eye-witness to the incident and it is merely on suspicion that their name has been given by the informant in the present case. It has further been stated that a few days prior to the present incident, the informant's brother Bidyanand Ram had a quarrel with the wife of petitioner no. 1 over the fact that since Bidyanand had no son, the wife of petitioner no. 1 used to call him eunuch and, hence, quarrel took place between them. It has further been submitted by learned counsel for the petitioner that even from the perusal of the case diary, the statement of the FSL are not consistent and there is no material to connect the petitioners with the present incident even if those statements are taken into account. Lastly, he has submitted that the petitioners are in custody since 18.01.2024 and they deserve to be released on bail.

5. Learned counsel for the informant as well as learned A.P.P. has vehemently opposed the prayer for bail. They



have drawn the attention of this Court towards the post-mortem report which suggest that the deceased Sajan Kumar Ram had died due to drowning and during investigation in the confessional statement of Binod Ram he has stated about the body being thrown in the canal and subsequently the body was recovered from the canal. It has also been submitted on behalf of learned A.P.P. for the State that the deceased was seen to have gone with the petitioners and thereafter he did not return and therefore they did not deserve the privilege of bail.

6. Considering the fact that admittedly there was a dispute between the parties and the fact that the deceased was last seen to have gone with Binod Ram and Rahul Kumar and did not return thereafter and subsequently, his dead body was found on the basis of the confessional statement of the petitioner, this Court is not inclined to grant privilege of bail to the petitioners, namely, Binod Ram and Rahul Kumar Ram. Hence, the prayer for bail is rejected.

7. Accordingly, the bail petition is dismissed.

**(Sourendra Pandey, J)**

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